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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

AT 8:30 _____ M
WILLIAM T. WALSH CLERK

BAIS YAAKOV OF SPRING VALLEY, on
behalf of itself and all others similarly situated,

Plaintiff,

vs.

PETERSON'S NELNET, LLC,

Defendant.

Civil Action No.: 3:11 CV 11 (AET) (TJB)

Document electronically filed

**[PROPOSED] CONSENT PRETRIAL
SCHEDULING ORDER FOR
DISCOVERY**

THIS MATTER having been brought before the Court in response the Court's January 9, 2013 Order directing that the parties confer and submit a discovery schedule by January 31, 2013, and the parties having conferred regarding the schedule for discovery in this matter and having agreed to the schedule set forth below; and for good cause shown:

IT IS, on this 31 day of January 2013, **ORDERED** that:

1. The parties shall make the mandatory disclosures under Fed. R. Civ. P. 26(a) on or before **February 22, 2013**.
2. Defendant shall serve initial discovery requests, including without limitation, any document requests, interrogatories, and requests for admission, on or before **March 1, 2013**. To the extent Plaintiff intends to serve an amended version of its initial document requests, interrogatories, or requests for admission that Plaintiff previously served, it shall do so on or before **March 1, 2013**.
3. The parties shall serve written responses to the initial and/or amended initial discovery requests within the timeframes provided by the Federal Rules of Civil Procedure.

4. Any motion to join new parties, whether by amended or third-party complaint, must be filed no later than **July 12, 2013**, and made returnable on **August 5, 2013**.

5. Any motion to amend the pleadings must be filed no later than **July 12, 2013**, and made returnable on **August 5, 2013**.

6. The parties will have until **December 15, 2013** to conclude all fact discovery in this matter. No fact discovery will issue beyond that date, except upon motion and for good cause shown.

7. Counsel will confer in an attempt to resolve any discovery or case management disputes before making such dispute the subject of a motion. No discovery motion will be entertained absent counsel's full compliance with L. Civ. R. 37.1(a)(1); *see also* L. Civ. R. 16.1(f).

8. Any discovery or case management disputes will be brought to the attention of the United States Magistrate Judge pursuant to L. Civ. R. 37.1(a)(1); *see also* L. Civ. R. 16.1(f).

9. In accordance with Fed. R. Civ. P. 30, the parties shall be limited to **ten** depositions per side, except upon leave of Court. In accordance with Fed. R. Civ. P. 33, the parties shall be limited to **25** interrogatories (including all subparts) per party except upon leave of Court.

10. Any motion seeking class certification, including any declarations and expert reports in support of same, shall be filed and served no later than **December 15, 2013**.

11. Depositions of Plaintiff's experts in support of class certification shall be completed by **January 31, 2014**.

12. A telephone conference to be initiated by Plaintiff shall be held on May 6, 2013 at 1030 AM.

12. Defendant's opposition to Plaintiff's class certification motion, including any declarations and expert reports in support of same, shall be filed and served no later than **March 14, 2014**.

13. Depositions of Defendant's experts, if any, in opposition to class certification shall be completed by **April 4, 2014**.

14. Plaintiff's reply in support of its motion for class certification shall be filed and served by **April 11, 2014**.

15. The remaining pre-trial schedule shall be set following the District Court's decision on the class certification motion.

16. Any proposed confidentiality order agreed to by the parties must be accompanied by a separate statement showing specific good cause for the entry of the order and must comply with L. Civ. R. 5.3.

Dated: January 31, 2013

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SO ORDERED:


Honorable Tonia J. Bongiovanni, U.S.M.J.

ORDER ON ORAL MOTION